

UNITED STATES PATENT AND TRADEMARK OFFICE

Application number 09/683,426

Filed: 2001-12-27

Attorney Docket Number: ASCO.P070

Examiner: HAYES, JOHN W

Art unit: 3639

Confirmation number 8729

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

This paper responds to the Notification of Non-Compliant Appeal Brief dated December 6, 2005. The Examiner takes the position that the Appeal Brief is non-compliant because "the brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto."

There are no "decisions rendered by a court or the Board" in any proceeding identified in the Related Appeals and Interferences section of the brief. Therefore it is impossible to provide such decisions in an appendix.

It appears from the Notification that the Examiner requires that an empty appendix be filed. For that reason, attached is an empty appendix.

Submitted,

/s/

Carl Oppedahl

PTO Reg. No. 32,746